



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

July 23, 2018

Katriina S. McGuire
Thompson Coburn LLP
55 E. Monroe St.
37th Floor
Chicago, IL 60603

**Re: Administrative Relief request for Planned Development No. 1396
734-36 N. Milwaukee Ave., 700-16 N. Carpenter St., 1030-42 W. Huron St.**

Dear Ms. McGuire:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1396 ("PD 1396"), has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of PD 1396.

Your client and the sole owner of all of the property within PD 1396, 730 N. Milwaukee LLC, is seeking administrative relief to allow for the following modifications to the proposed building at 734-736 N. Milwaukee Ave.:

- Reduce the maximum no. of dwelling units from 226 to 196 units.
- Reduce the minimum no. of accessory parking spaces from 93 to 81 spaces. Based on the unit count reduction, the overall parking ratio remains unchanged at .36 to 1.0.
- Increase the height of the mechanical equipment by 5 feet, from 266 feet to 271 feet. The overall building height remains at the approved 250 feet.
- Based on the reduction in units and parking, the 3rd floor which was originally dedicated to automotive parking has been redesigned with residential 'liner units' along Milwaukee Ave. and Carpenter St. As a result, the window fenestration has changed. A revised Bulk Regulations and Data Table and revised Elevations are attached.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 1396, I hereby approve the foregoing minor change, but no

other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

A handwritten signature in dark ink, appearing to read 'P. Murphey', with a long, sweeping horizontal line extending to the right.

Patrick Murphey
Acting Zoning Administrator

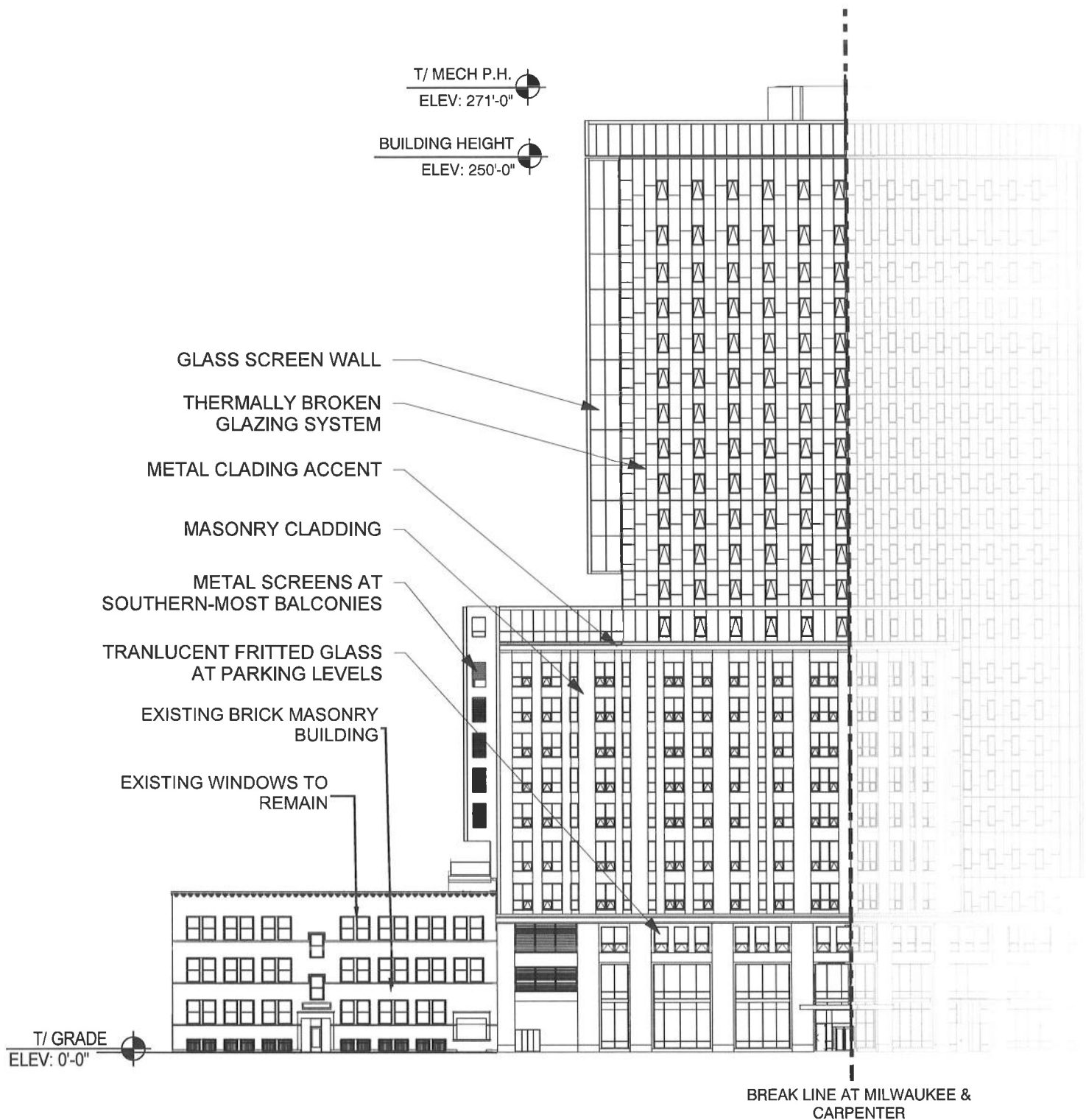
PM:tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Main file

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO 1396

BULK REGULATION AND DATA TABLE

Gross Site Area:	48,375 square feet
Area in Public Right-of-Way:	20,048 square feet
Net Site Area:	28,327 square feet
Maximum FAR:	7.5
Maximum Dwelling Units:	196
Total Minimum Accessory Parking Spaces:	81
Minimum Accessory Office Parking Spaces:	10
Minimum Accessory Residential Parking Spaces:	71
Minimum Bicycle Parking:	166 bike spaces
Off-Street Loading Berths:	1
Building Height:	250.00 feet
	271.0 feet (to top of mechanical equipment)



Planned Development Exhibits

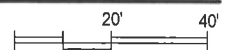
Applicant: Tandem Partners LLC

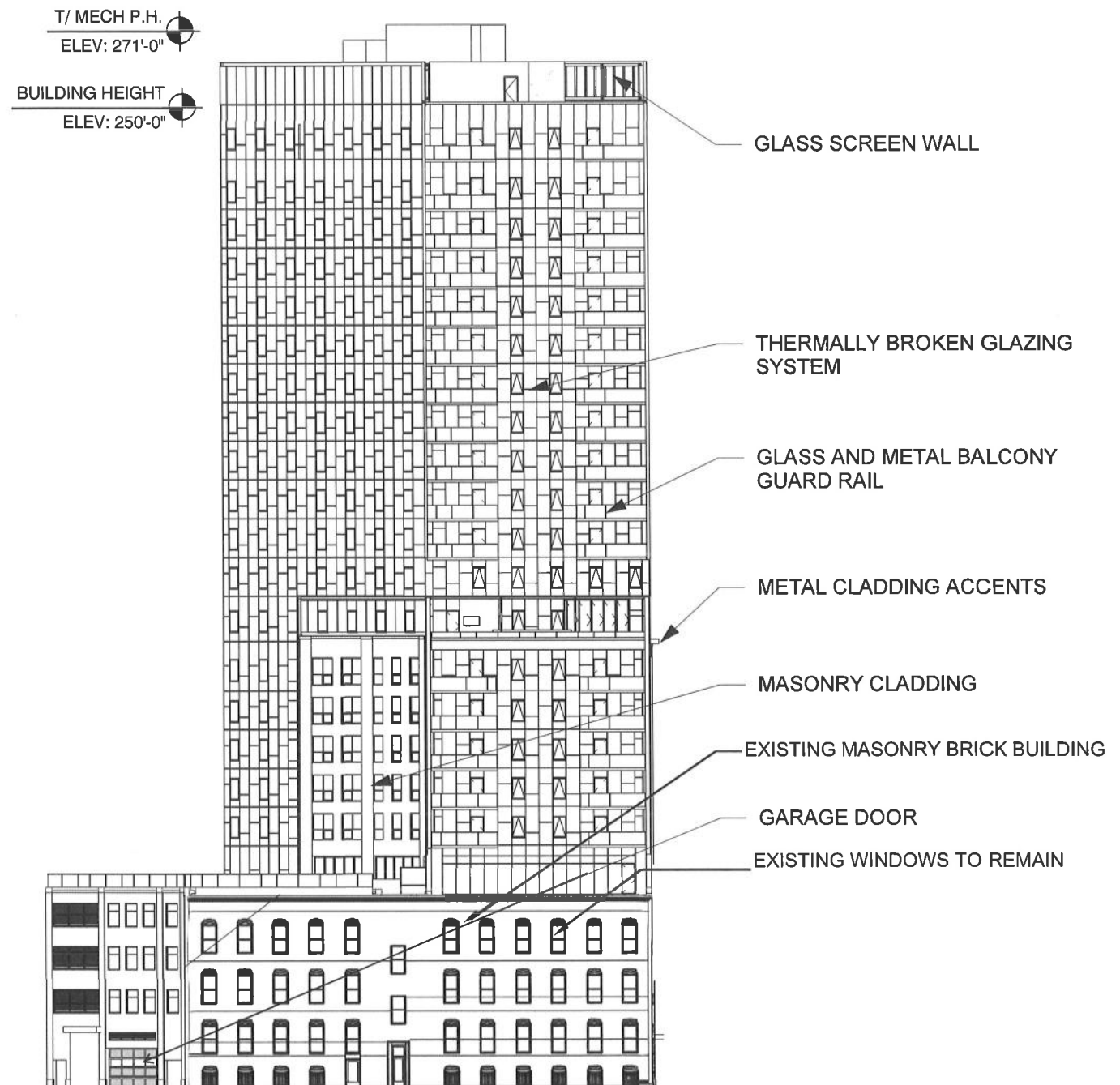
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

F.1 - EAST ELEVATION





Planned Development Exhibits

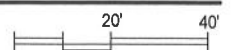
Applicant: Tandem Partners LLC

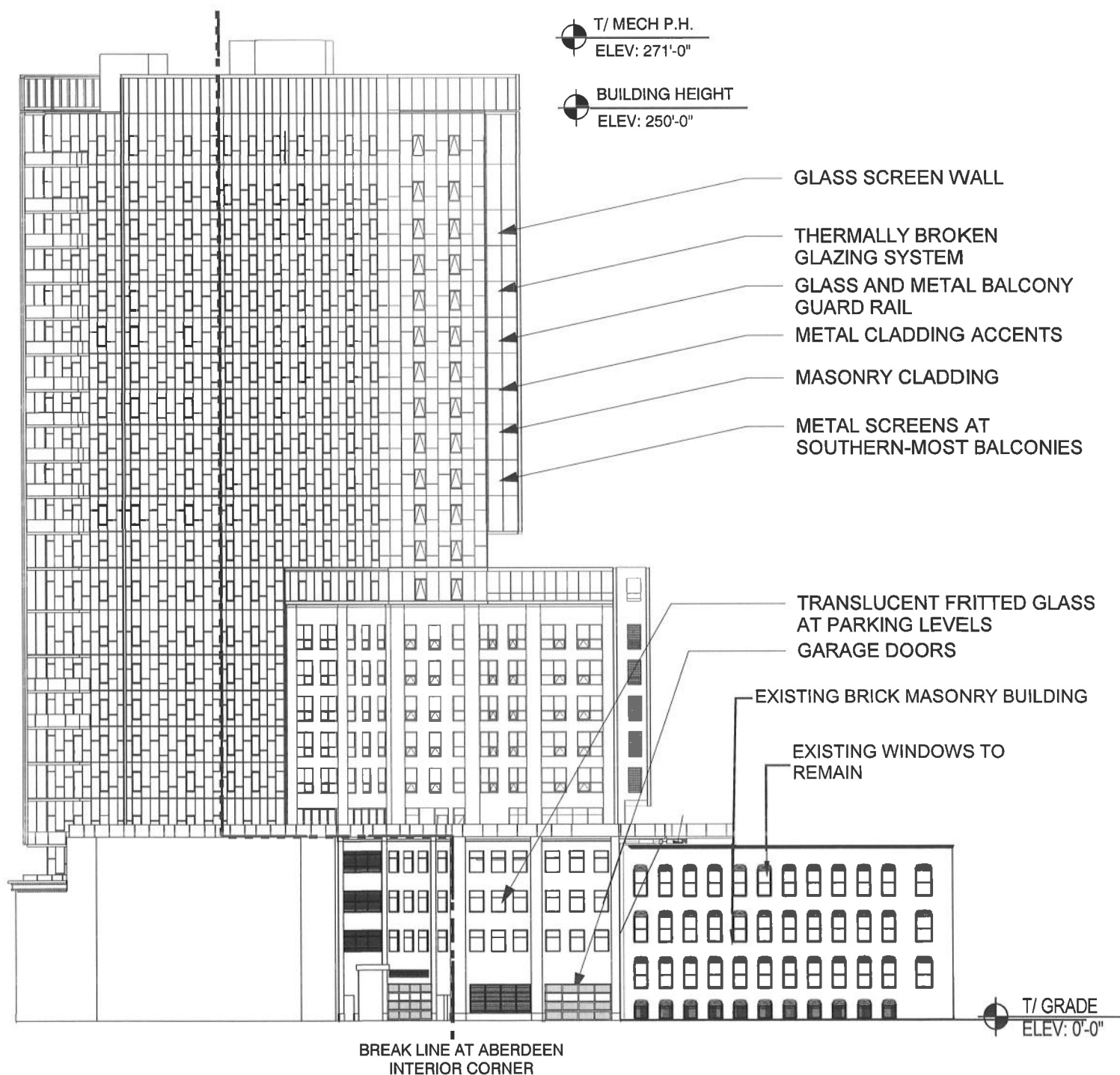
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

F.2 - SOUTH ELEVATION





Planned Development Exhibits

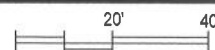
Applicant: Tandem Partners LLC

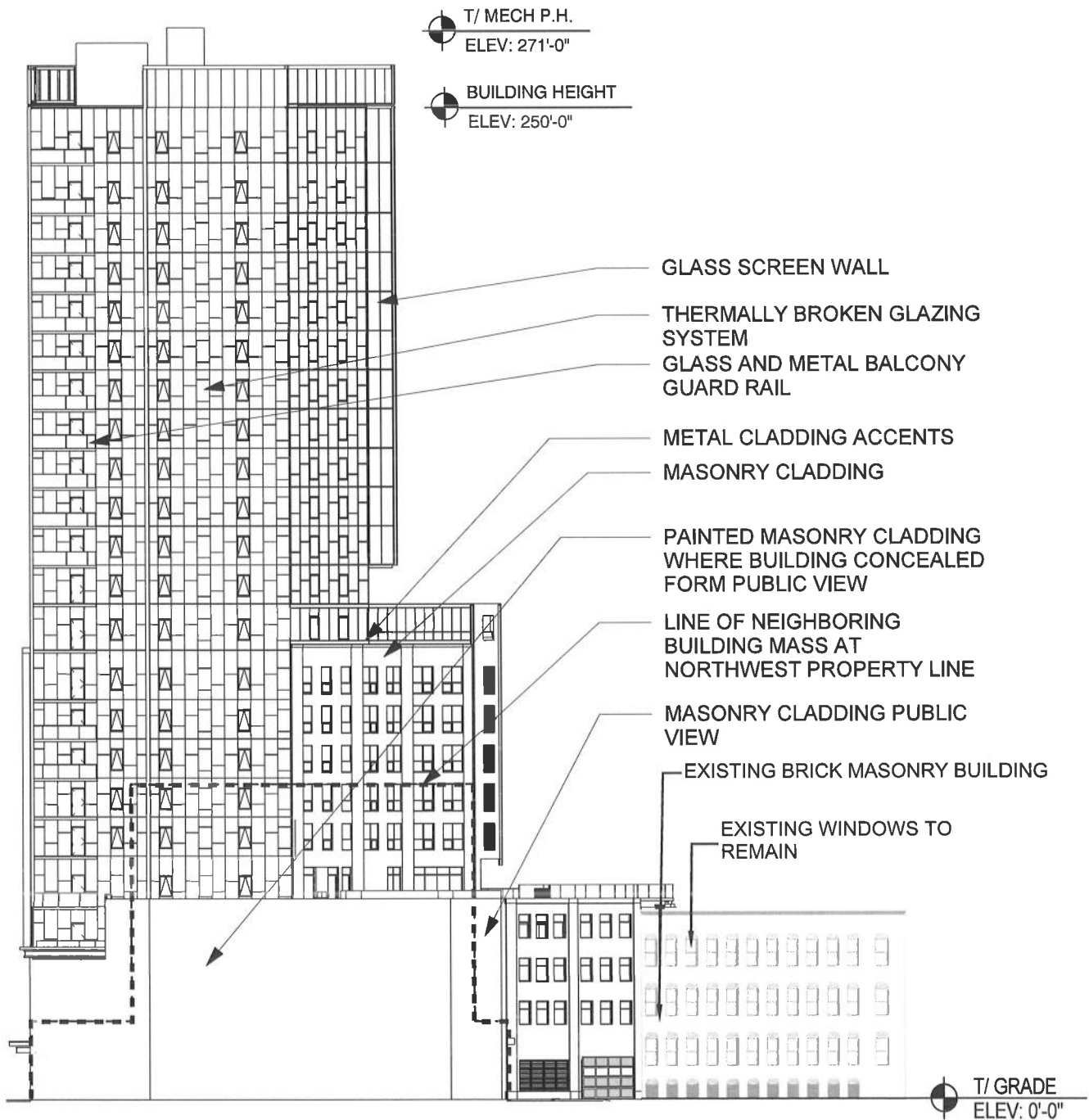
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

F.3 - WEST ELEVATION





Planned Development Exhibits

Applicant: Tandem Partners LLC

Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

F.4 - NORTHWEST ELEVATION

19398

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map No. 1-G.

(As Amended)

(Application No. 19398)

(Common Address: 1030 -- 1042 W. Huron St., 700 -- 716 N. Carpenter St.,
701 -- 717 N. Aberdeen St. And 728 -- 738 N. Milwaukee Ave.)

[SO2017-7051]

RBPD 1396

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the M1-3 Light Industry District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Milwaukee Avenue; North Carpenter Street; West Huron Street; North Aberdeen Street; and a northeasterly line 120 feet long starting at a point 46 feet northwest of the east line of North Aberdeen Street (as measured along the northeast line of North Aberdeen Street) and ending at a point 100 feet northwest of the west line of North Carpenter Street (as measured along the southwest line of North Milwaukee Avenue),

to those of a DX-5 Downtown Mixed-Use District.

SECTION 2. Changing all of the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Milwaukee Avenue; North Carpenter Street; West Huron Street; North Aberdeen Street; and a northeasterly line 120 feet long starting at a point 46 feet northwest of the east line of North Aberdeen Street (as measured along the northeast line of North Aberdeen Street) and ending at a point 100 feet northwest of the west line of North Carpenter Street (as measured along the southwest line of North Milwaukee Avenue),

to those of a Residential Business Planned Development which is hereby established in the area above described subject to such use and bulk regulations as set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Residential-Business Planned Development No. 1396

Planned Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number 1396 ("Planned Development") consists of approximately 28,327 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Tandem Partners LLC.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans.

Ingress or egress shall be pursuant to the plans and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II Approval, the submitted plans must be approved by the Department of Transportation.

4. This plan of development consists of 17 Statements; a Bulk Regulations Table; an Existing Land Use Map; an existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Ground Floor Plan; a Landscape/Green Roof Plan; and Building Elevations prepared by Antunovich and Associates and dated

December 21, 2017, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: multi-unit residential dwelling units, office, eating and drinking establishments (excluding drive-through facilities), liquor store (packaged goods), liquor sales (as accessory use), artist work or sales space, dry cleaning drop-off or pickup (no on-premises plant), medical service, children's play center, financial services (excluding pawn shops, pay day loan stores, and drive through facilities), vacation rental, food and beverage retail sales, personal service, general retail sales, accessory uses, and accessory parking. A day care use may be permitted subject to site plan approval by the Department of Planning and Development and the Department of Transportation.

The applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to twenty-five percent (25%) of the minimum required residential parking spaces.

6. On-premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a net site area of 28,327 square feet and a base FAR of 5.0. The Applicant acknowledges that the project has received a bonus FAR of 2.5, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 7.5. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17.4-1003-B and C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will

be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3.

The bonus payment will be split between three separate funds, as follows: 80 percent to the Neighborhoods Opportunity Fund, 10 percent to the Citywide Adopt-a-Landmark Fund and 10 percent to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

It is currently anticipated that the 10 percent to the Local Impact Fund shall be utilized for the future development of a Chicago Park District open space located at the southwest corner of North Milwaukee Avenue and West Erie Street. Any modification of the allocation of the Local Impact Fund shall be subject to Section 17-4-1005-G but in no event shall such modification cause a delay in the issuance of Part II Approval, building permit or certificate of occupancy for the Planned Development.

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II Approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II Reviews, are conditional until final Part II Approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the

Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall comply with the current City of Chicago Sustainable Development Policy (Green Matrix) set forth by the Department of Planning and Development.
15. The Applicant acknowledges and agrees that the rezoning of the Property from M1-3 to DX-5 for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or ARO) as well as the obligations mandated by the Near North/Near West Pilot Area Ordinance (the "Pilot"). Any developer of a residential housing project within the meaning of the ARO, and within the Near North/Near West Pilot Area ("Pilot Area") must: (A)(i) set aside 10 percent of the housing units in the residential housing project ("First Units") as affordable units, or (ii) with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the First Units in an approved off-site location within two miles of the Property; or, (iii) any combination of (i) and (ii); and (B)(i) set aside an additional 10 percent of the housing units in the residential housing project ("Additional Units") as affordable units; or (ii) with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Additional Units in an approved off-site location anywhere within the Pilot Area; or, (iii) any combination of (i) and (ii). The Property is located in the Near North Pilot Area and has a total of 226 units. As a result, the Applicant's affordable housing obligation is 45 Affordable Units (20 percent of 226 rounded down). In accordance with the requirements of the ARO, the Pilot, and the requirements set forth in the Affordable Housing Profile Form attached hereto as Exhibit A, the Applicant has agreed to provide 10 percent or 23 affordable housing units in the Residential Project for households earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income ("AMI") and 10 percent or 23 affordable housing units in the Residential Project for households earning up to 100 percent of AMI, provided, however, the foregoing income eligibility and affordability may be decreased to 80 percent of AMI if the Commissioner, in consultation with the alderman of the ward in which the affordable units will be located, determines that there is a greater need for affordable housing at this income level in the subject location based on factors established by rule (collectively, the "Affordable Units"). If the Applicant subsequently reduces (or increases) the number of housing units in the P.D., or elects to build a for-sale project instead, or elects to construct off-site units consistent with the provisions of the ARO and the Pilot, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval. DPD may adjust the requirements (including location, on-site or off-site) and number of required Affordable Units without amending the P.D. Prior to the issuance of any building permits for any residential building in the P.D., including,

without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the P.D., or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the P.D.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and City residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the City in promoting and tracking such M/WBE and City resident participation, an Applicant for planned development approval shall provide information at three points in the City approval process. First, (i) the Applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the Applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of City residents in the construction work. The City encourages goals of 26 percent MBE and 6 percent WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50 percent City resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and City residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II Permit Review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the Applicant's M/WBE and City resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and City resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and City residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and City residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a zoning map amendment to rezone the Property to DX-5 Downtown Mixed-Use District.

[Boundary and Property Line Map; Existing Land-Use Plan; Existing Zoning Map; Site Plan/Ground Floor Plan; Landscape Plan and Green Roof Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 65512 through 65522 of this *Journal*.]

Bulk Regulations and Data Table and 2015 Affordable Housing Profile Form (AHP) (Exhibit "A") referred to in these Plan of Development Statements read as follows:

Residential-Business Planned Development No 1396.

Bulk Regulations And Data Table.

Gross Site Area:	48,375 square feet
Area in Public Right-of-Way:	20,048 square feet
Net Site Area:	28,327 square feet
Maximum FAR:	7.5
Maximum Dwelling Units:	226
Total Minimum Accessory Parking Spaces:	93
Minimum Accessory Office Parking Spaces:	10
Minimum Accessory Residential Parking Spaces:	83
Minimum Bicycle Parking:	166 bike spaces
Off-Street Loading Berths:	1
Building Height:	250.0 feet
	266.0 feet (to top of mechanical equipment)

FINAL FOR PUBLICATION

2015 Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO.

This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org

Date: 12/14/17

DEVELOPMENT INFORMATION

Development Name: 1040 W. Huron

Development Address: 1030-1042 W. Huron

Zoning Application Number, if applicable: 19398

Ward: 27

If you are working with a Planner at the City, what is his/her name? Fernando Espinoza

Type of City Involvement
check all that apply

☐ City Land

☐ Financial Assistance

☒ Zoning increase

☒ Planned Development (PD)

☐ Transit Served Location (TSL) project

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

☐ ARO Web Form completed and attached - or submitted online on N/A

☒ ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excel)

☐ If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (pdf)

☐ If ARO units proposed are off-site, required attachments are included (see next page)

☐ If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (pdf)

DEVELOPER INFORMATION

Developer Name Tandem Partners, LLC

Developer Contact Jeffrey Hreben

Developer Address 700 N. Carpenter, Chicago 60614

Email jeffrey@tandeminc.net

Developer Phone 312-600-9328

Attorney Name Katrina S. McGuire

Attorney Phone 312-580-2326

TIMING

Estimated date marketing will begin Q2 2019

Estimated date of building permit* Q3 2018

Estimated date ARO units will be complete Q4 2019

*note that the in-lieu fee and recorded covenant are required prior to the issuance of any building permits, including the foundation permit

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

Kara Breems, DPD

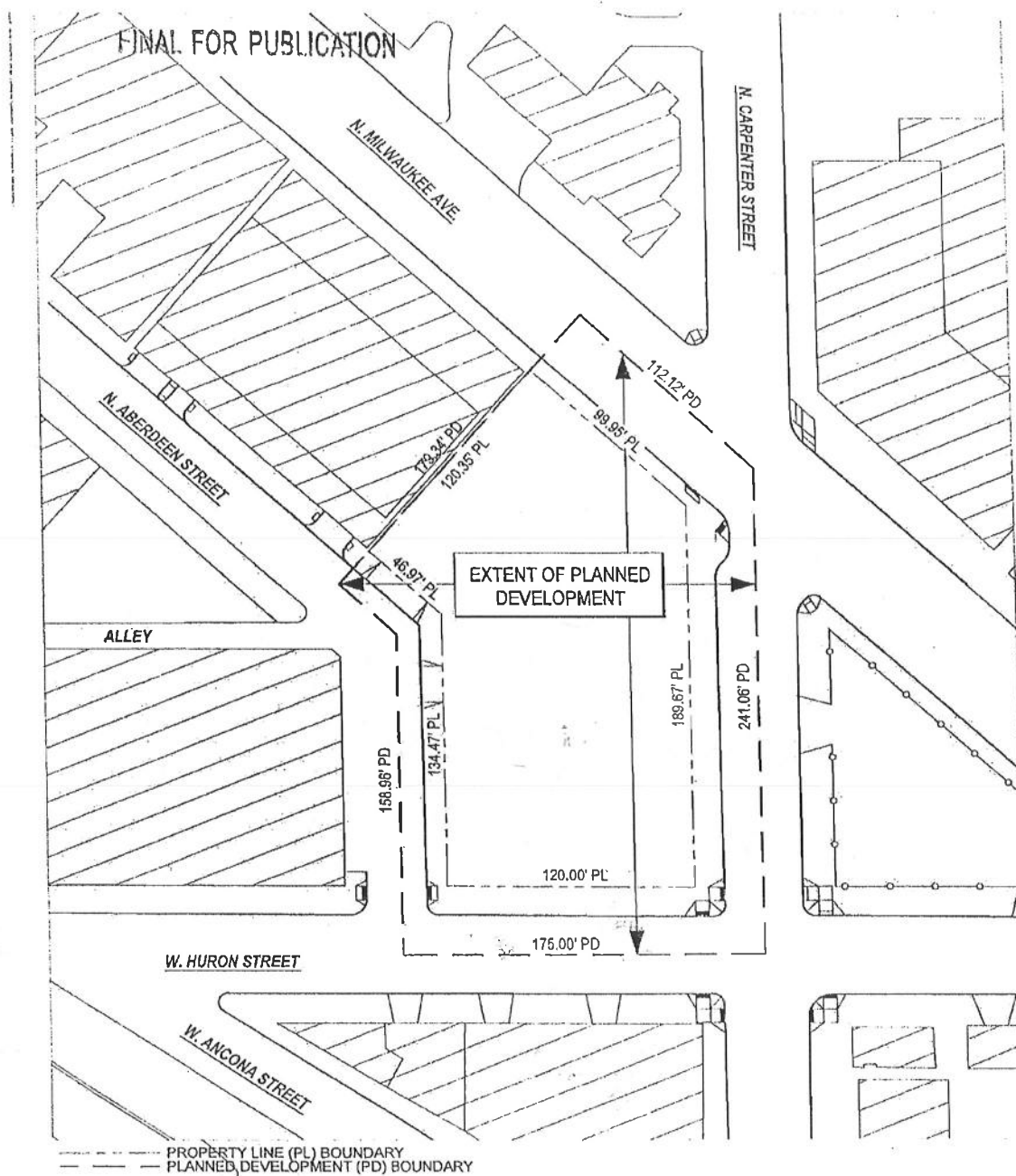
Date

12-18-17

Developer/Project Manager

Date

12/15/17



Planned Development Exhibits

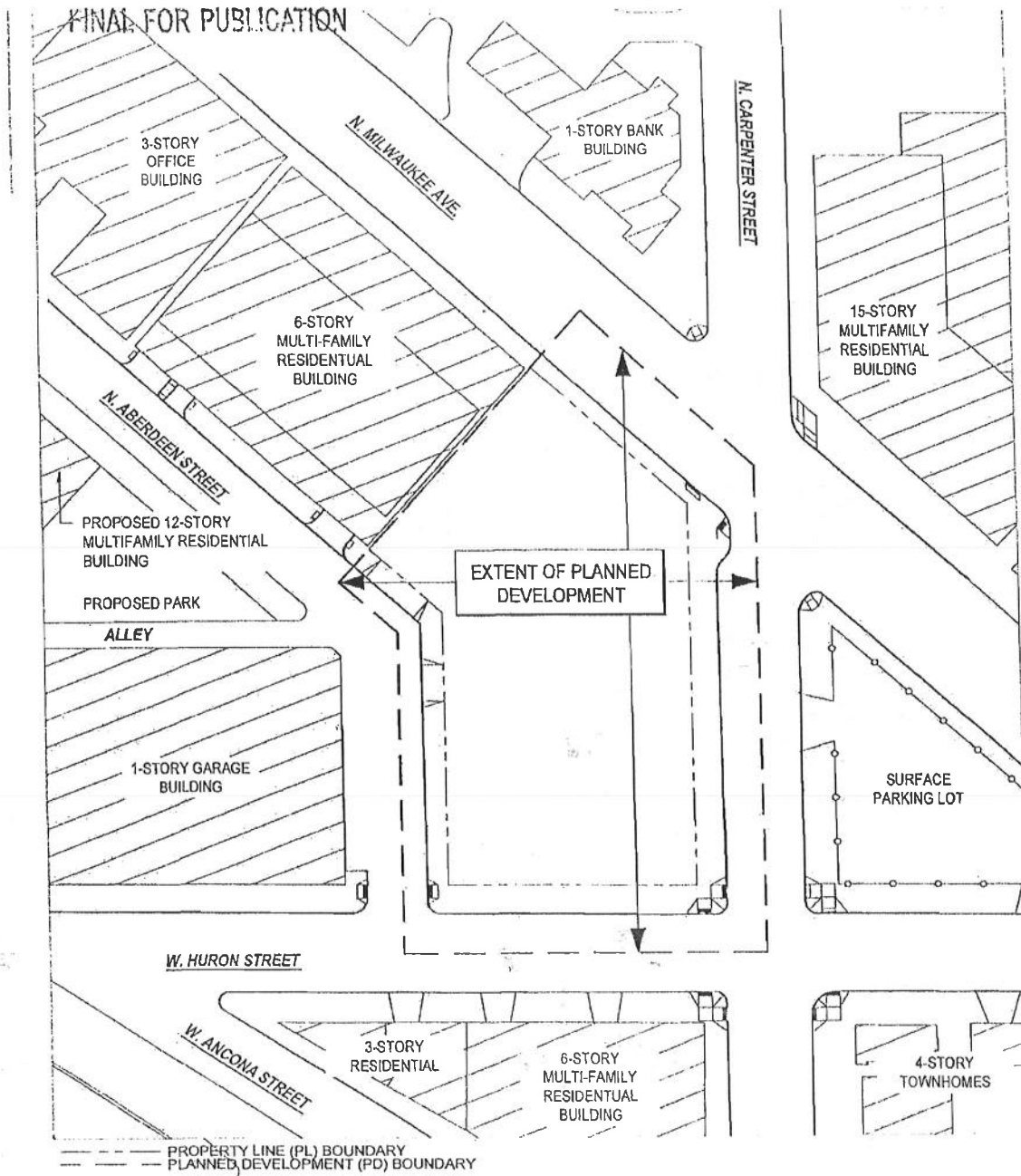
A - PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP

Applicant: Tandem Partners LLC

Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

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Planned Development Exhibits

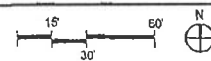
Applicant: Tandem Partners LLC

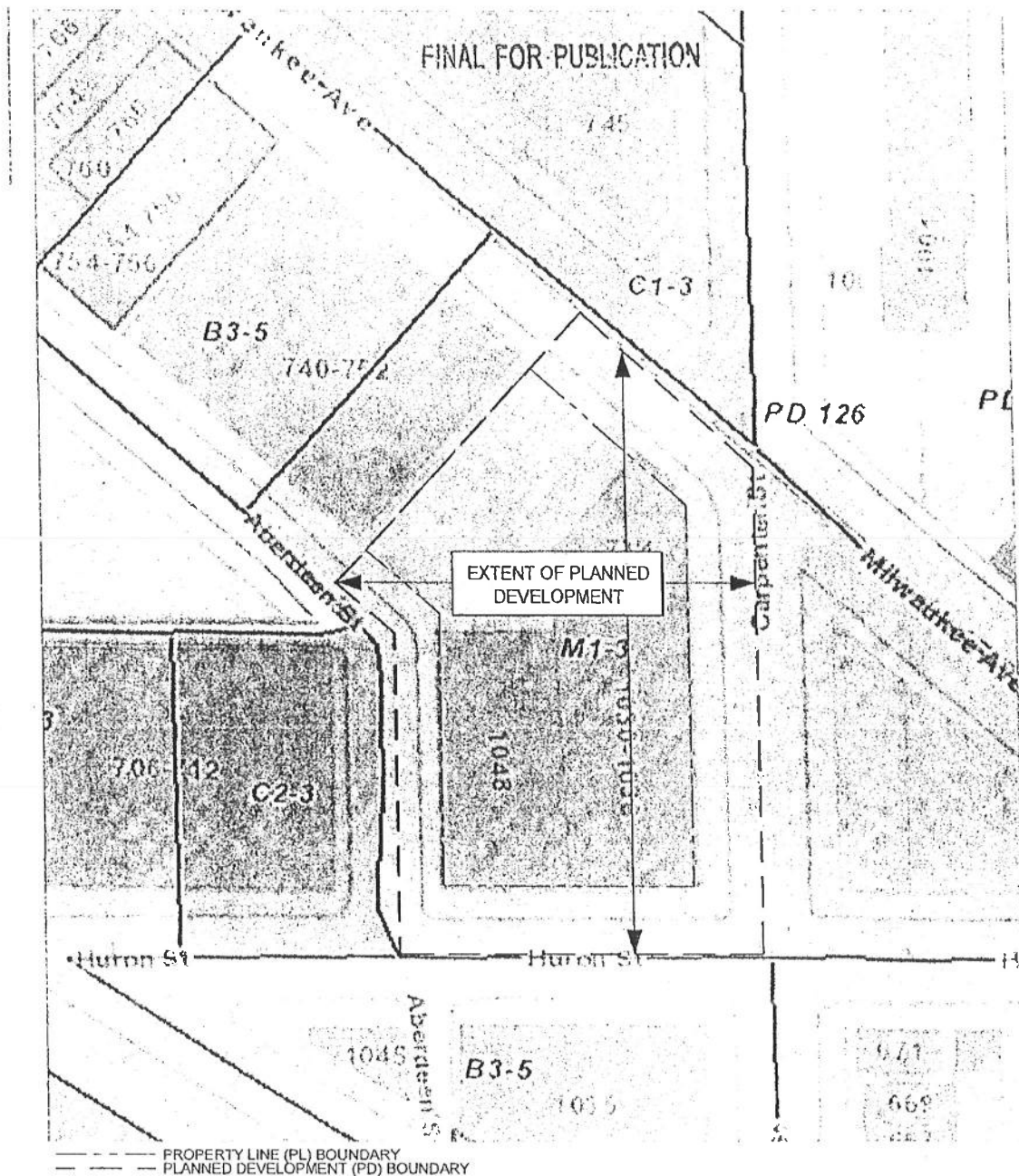
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

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B - EXISTING LAND USE PLAN





Planned Development Exhibits

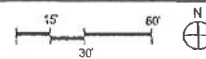
Applicant: Tandem Partners LLC

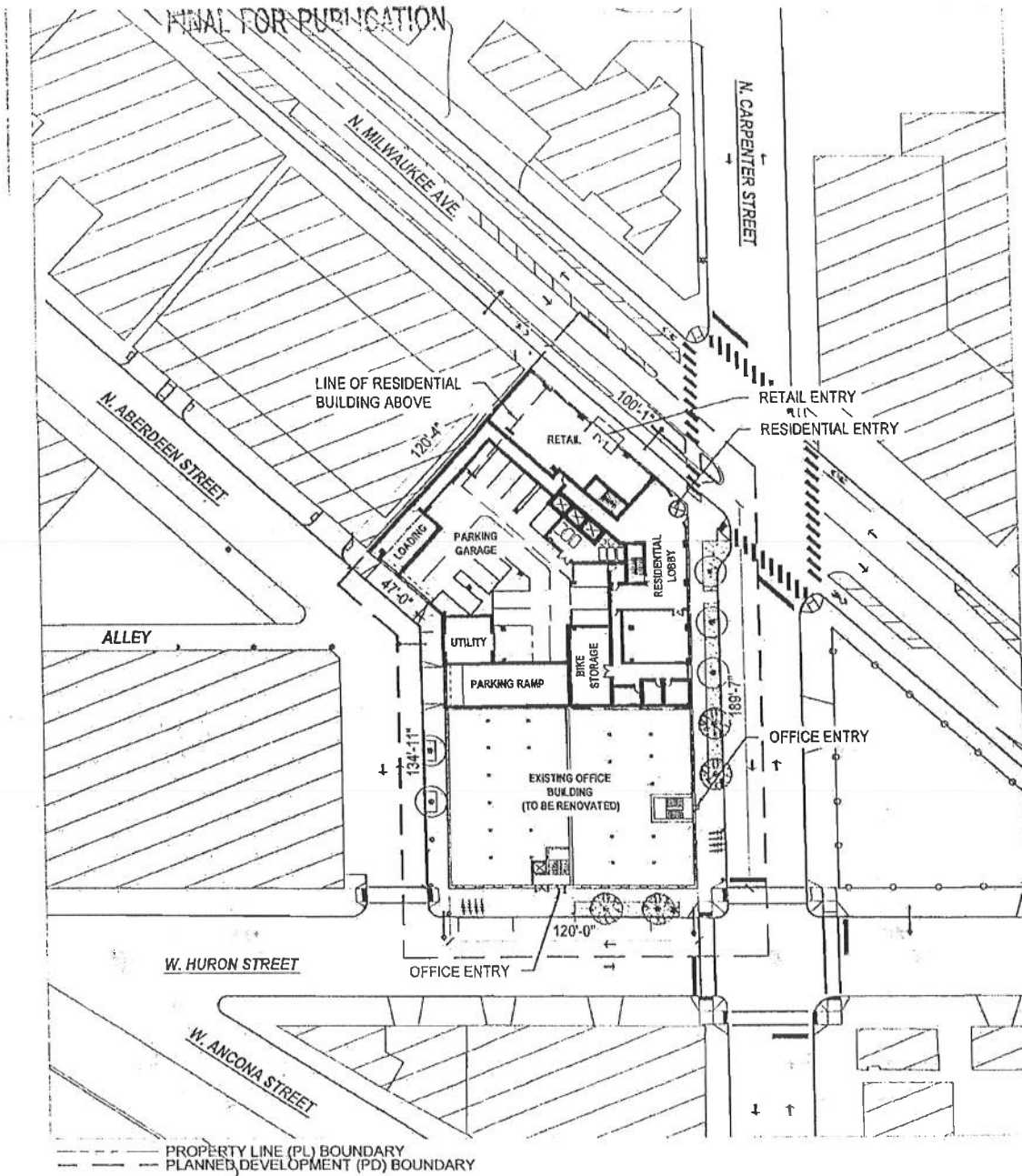
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

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C - EXISTING ZONING MAP





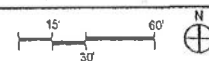
Planned Development Exhibits

Applicant: Tandem Partners LLC

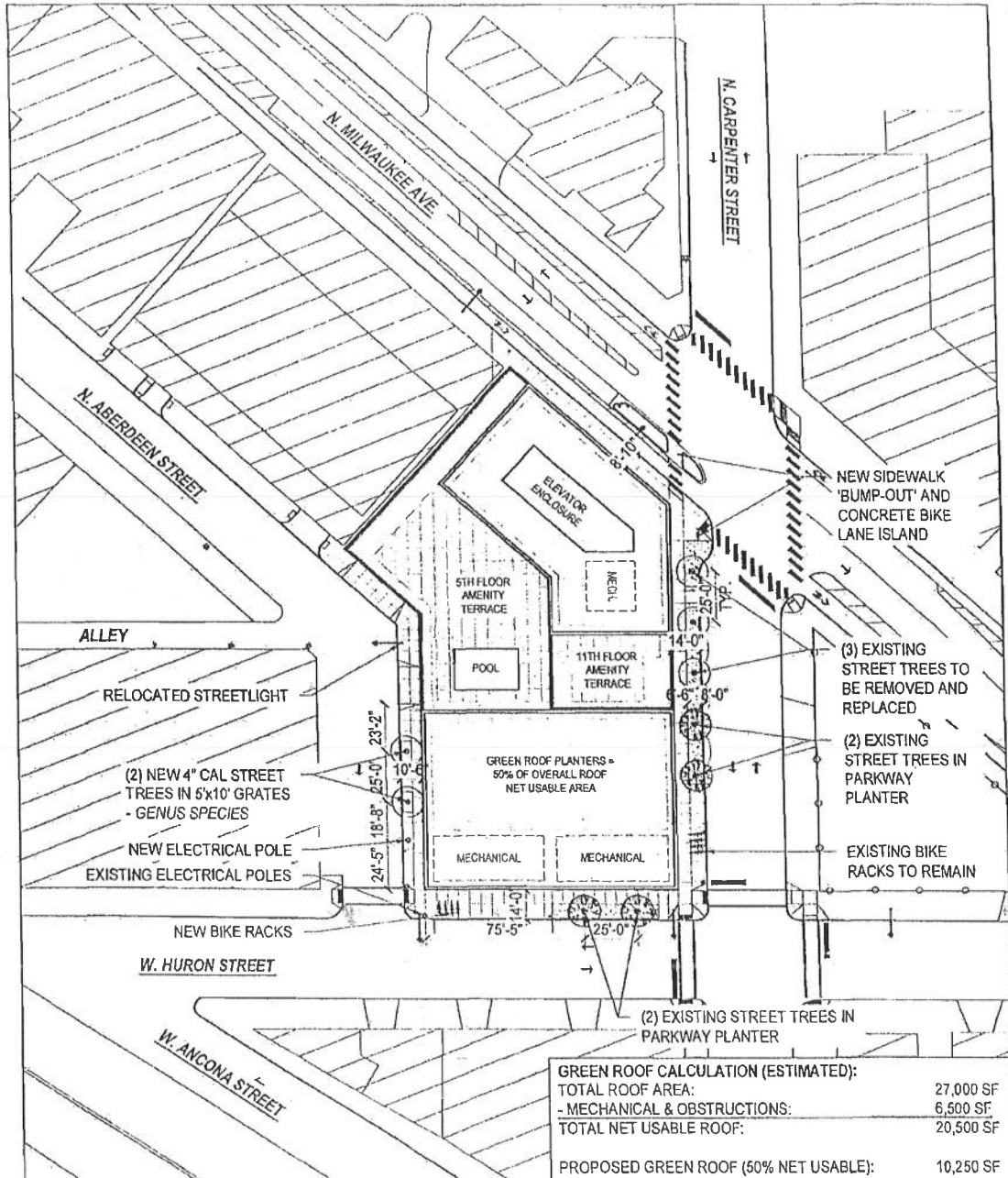
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Planned Development Exhibits

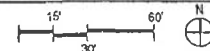
E - LANDSCAPE PLAN & GREEN ROOF PLAN

Applicant: Tandem Partners LLC

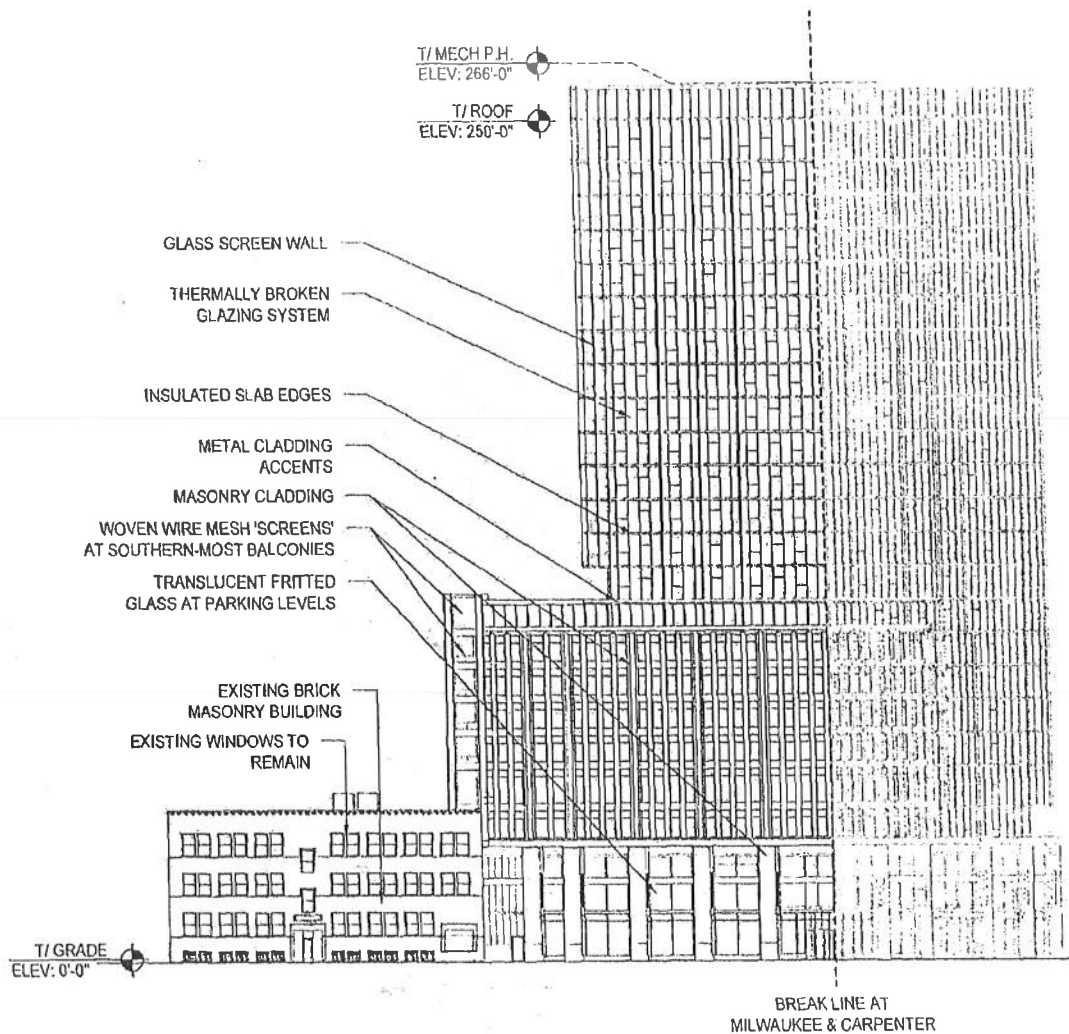
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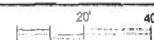
PLANNED DEVELOPMENT EXHIBITS



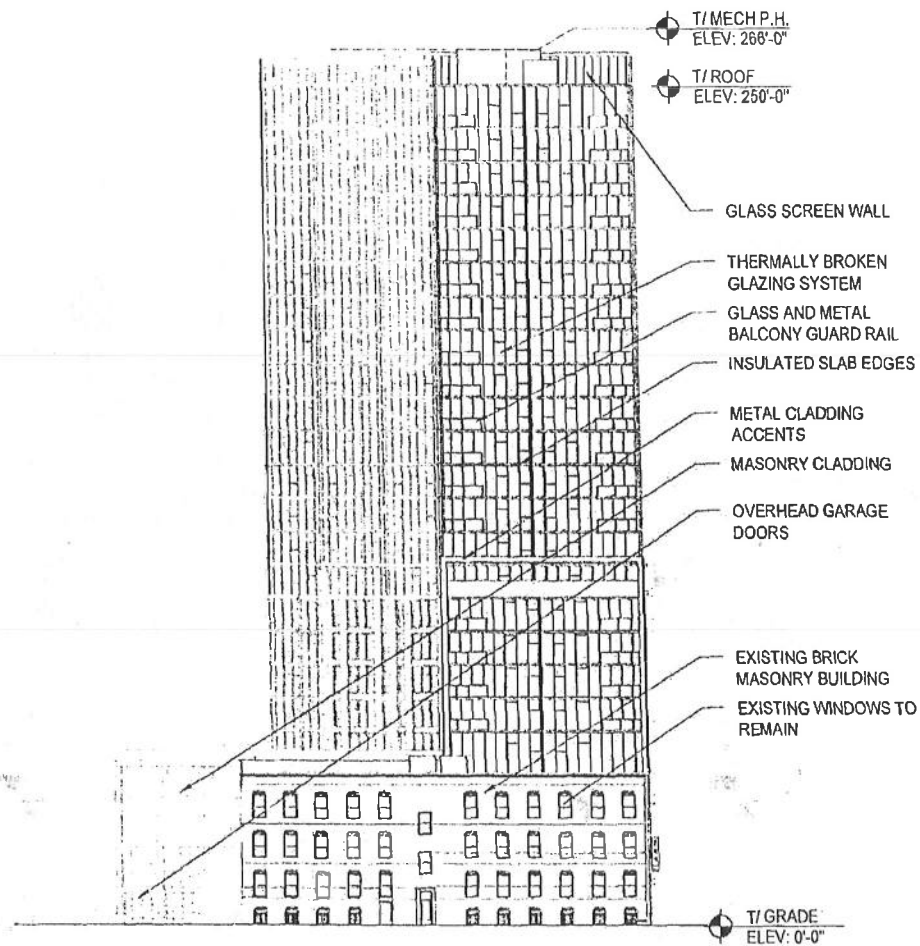
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F.1 - EAST ELEVATION



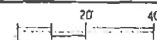
PLANNED DEVELOPMENT



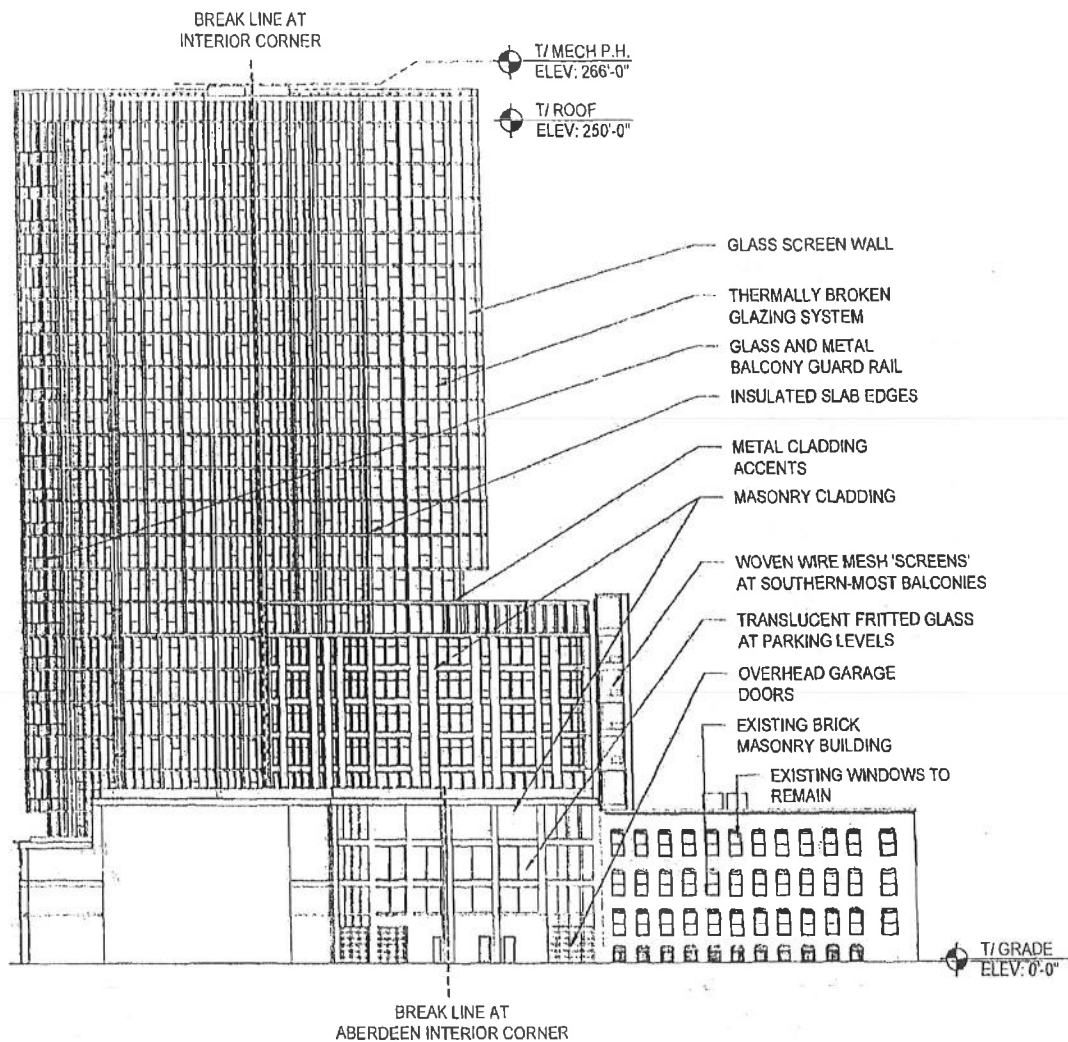
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Plan Commission: December 21, 2017

F.2 - SOUTH ELEVATION



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Planned Development Exhibits

F.3 - WEST ELEVATION

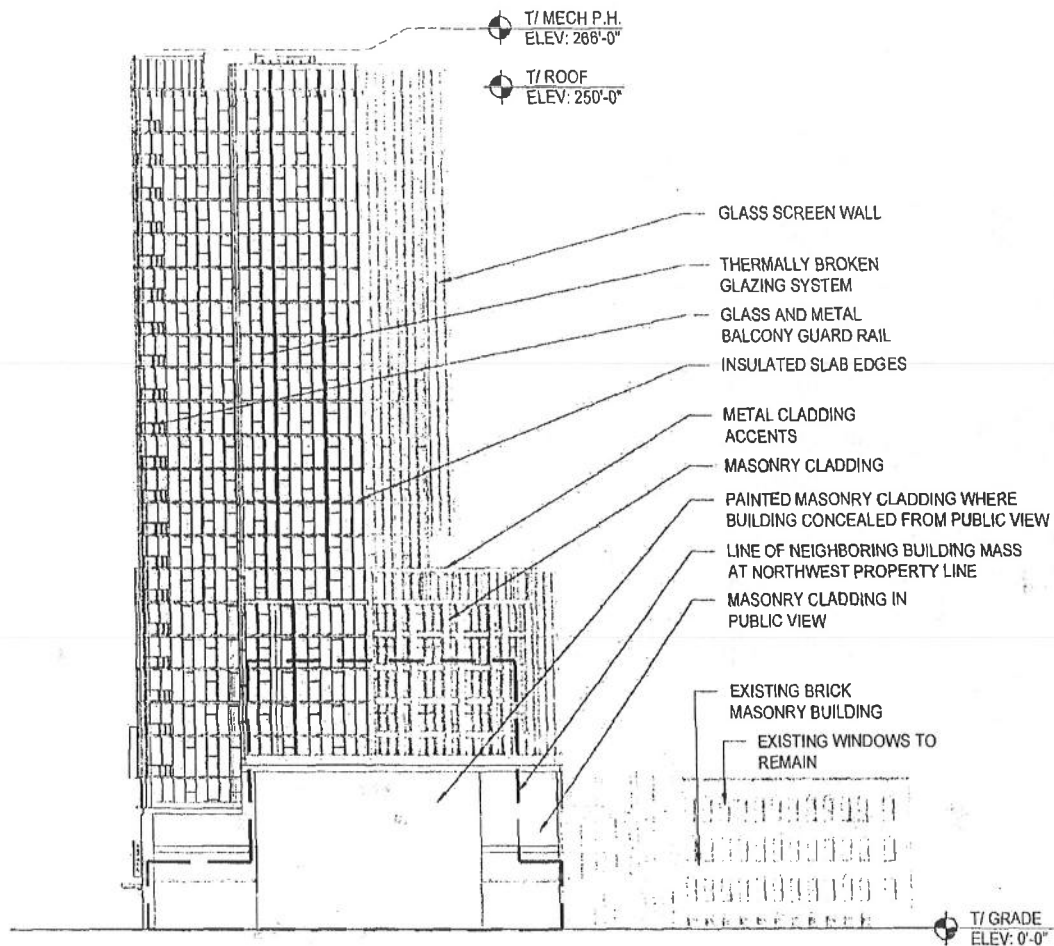
Applicant: Tandem Partners LLC

Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

FINAL FOR PUBLICATION



Planned Development Exhibits

F.4 - NORTHWEST ELEVATION

Applicant: Tandem Partners LLC

Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11, 2017

Plan Commission: December 21, 2017

